

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN THE MATTER OF:

DEMETRIUS HODGES,

Debtor.

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STUART A. GOLD, TRUSTEE,

Plaintiff,

v.

DORIS A. HODGES,

Defendant.

\_\_\_\_\_ /

Chapter 7

Case No. 18-50502-TJT

Judge Thomas J. Tucker

Adversary Proceeding

No. 19-4006

**ORDER GRANTING, IN PART, PLAINTIFF'S MOTION TO COMPEL DEFENDANT  
TO AMEND ANSWER TO COMPLY WITH FED. R. CIV. P. 8(b)**

This adversary proceeding is before the Court on the Plaintiff's motion entitled "Plaintiff's Motion to Compel Defendant's Compliance with Fed. R. Civ. P. 8(b)" (Docket # 9, the "Motion"). No timely response was filed to the Motion. The Court will grant the Motion in part and deny it in part.

The Court finds and concludes as follows:

1. The responses by Defendant in her Answer (Docket # 4) to paragraphs 12-15 of Plaintiff's Complaint are inadequate under Fed. R. Civ. P. 8, which applies in this adversary proceeding under Fed. R. Bankr. P. 7008. The following is *not* one of the forms of response permitted by Civil Rule 8: "Defendant neither admits nor denies the allegation contained in paragraph 12 and leaves Plaintiff to its proofs." *See* Fed. R. Civ. P. 8(b)(1)(B); 8(b)(5).
2. Subject to the requirements of Fed. R. Bankr. P. 9011, and Fed. R. Civ. P. 8(b)(4), the denials stated by Defendant in her Answer to paragraphs 17-20 of Plaintiff's Complaint are adequate

under Civil Rule 8, as denials of every allegation contained in each of these Complaint paragraphs. For example, by pleading in this form: “Defendant denies the allegations contained in paragraph 17 . . .,” Defendant is denying *every* allegation contained in paragraph 17 of the Complaint. This form of pleading is permitted by Civil Rule 8.

3. The Court will not require the Defendant to “specifically stat[e] the reasons for any denials,” as Plaintiff requests in his proposed order filed with the Motion. Civil Rule 8 does not require the pleader to state any reason(s) for his denials.

4. Except as described in paragraph 1 of this Order, above, Defendant’s Answer does not appear to violate Civil Rule 8.

For these reasons,

IT IS ORDERED that the Motion is granted to the extent of the relief provided by this Order, and otherwise is denied.

IT IS FURTHER ORDERED that no later than March 15, 2019, Defendant must file an amended answer to the Complaint that amends Defendant’s responses to paragraphs 12-15 of Plaintiff’s Complaint, so that the amended answer complies with the requirements of Fed. R. Civ. P. 8(b), as described in this Order.

IT IS FURTHER ORDERED that if Defendant fails to comply with this Order, the Court may strike Defendant’s Answer in its entirety, without further notice or hearing.

**Signed on March 6, 2019**



/s/ **Thomas J. Tucker**

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**Thomas J. Tucker**  
**United States Bankruptcy Judge**